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ATTORNEY'S DOCKET NO: C01039/70042(HCL)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Applicant: Krieg et al.

Serial No.: 09/630,319

Confirmation No.: 5464

Filed: July 31, 2000

For: METHODS FOR TREATING AND PREVENTING INFECTIOUS  
DISEASE

Examiner: Jane J. Zara

Art Unit: 1635

MAY 01 2002

TECH CENTER 1600/2900

#16/12/16  
S. L. S.

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Commissioner for Patents, Washington, D.C. 20231, on the 10 day of April, 2002.

Helen C. Lockhart

Commissioner for Patents  
Washington, D.C. 20231

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STATEMENT FILED PURSUANT TO THE DUTY OF  
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98

TECH CENTER 1600/2900

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

PART I: Compliance with 37 C.F.R. §1.97

This Information Disclosure Statement has been filed more than three months after the filing date of this application and after the mailing date of the first Office Action, but before the mailing date of either a final action under 37 C.F.R. §1.113 or a Notice of Allowance under 37 C.F.R. §1.311, or an action that otherwise closes prosecution in this application.

The fee of \$180 as set forth in 37 C.F.R. §1.17(p) is enclosed.

PART II: Information Cited

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

608591.1

04/29/2002 RME/RAHT 00000101 09630319 180.00 OP  
01 FC:126

The following are remarks concerning the other information cited:

PART III: Remarks

Documents cited on the attached form PTO-1449 (modified) are enclosed unless otherwise indicated on the attached form PTO-1449 (modified). It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.


By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

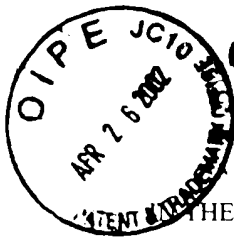
Notwithstanding any statements by the Applicant, the Examiner is urged to form his own conclusion regarding the relevance of the cited information.

An early and favorable action is hereby requested.

Respectfully submitted,  
*Krieg et al., Applicant(s)*

By:   
Helen C. Lockhart, Reg No. 39,248  
Wolf, Greenfield & Sacks, P.C.  
600 Atlantic Avenue  
Boston, MA 02210  
Telephone (617) 720-3500

Docket No. C01039/70042  
Dated: April 19, 2002  
**XNDD**



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CERTIFICATE OF MAILING UNDER 37 C.F.R. 1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Commissioner for Patents, Washington, D.C. 20231, on the 16 day of April, 2002.

Helen C. Lockhart  
Helen C. Lockhart

COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

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Sir:

TECH CENTER 1600/2900

Transmitted herewith is/are the following document(s):

- [X] Information Disclosure Statement
- [X] Form PTO-1449
- [X] Cited Reference
- [X] Check in the Amount of \$180.00 (Information Disclosure Statement Fee)
- [X] Certificate of Mailing
- [X] Return Receipt Postcard

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 720-3500, Boston, Massachusetts.

A check in the amount of \$180.00 is enclosed. If the fee is insufficient, the balance may be charged to the account of the undersigned, Deposit Account No. 23/2825. A duplicate of this sheet is enclosed.

Respectfully Submitted,

Helen C. Lockhart

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Docket No. C01039/70042(HCL)  
Date: April 16, 2002  
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608598.1

04/29/2002 RMEBQAHIT 000000101 09630319 100.00 0P 01 FEB 2002